



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

April 9, 2013

Hon. Bob Wieckowski, Chair
Assembly Judiciary Committee
State Capitol, Room 4016
Sacramento, California 95814

Subject: AB 1403 (Committee on Judiciary), as introduced – Support
Hearing: Assembly Judiciary Committee – April 16, 2013

Dear Assembly Member Wieckowski:

The Judicial Council is pleased to support the provisions of AB 1403, which ratify the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2013–2014, where the conversion results in a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

Over the past few years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of the courts' workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they have been assigned as temporary judges, exercising the full power of judges, including in family law and juvenile law proceedings. The Judicial Council believes that family law and juvenile law proceedings, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. The conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges. It has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the number is more like 75–80 percent. In practice, many SJOs are de-facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

Hon. Bob Wieckowski
April 9, 2013
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Legislation enacted in 2006, authorized the Judicial Council to convert 162 SJO positions in eligible courts to judgeships, upon SJO positions becoming vacant. That legislation also capped at 16 the number of positions that could be converted in a single fiscal year. The council has, pursuant to legislation, converted the maximum number of positions for each of the last four years since the conversion authority was provided. AB 1403 does not increase the 162 total conversions authorized by statute, however, the conversion of SJO positions to judgeships, upon vacancy, that this bill authorizes, will allow more of the family and juvenile law cases to be heard by judges.

For these reasons, the Judicial Council is pleased to support the SJO conversion provisions of AB 1403.

Sincerely,

A handwritten signature in cursive script that reads "Theresa Taylor-Carroll". The signature is written in dark ink and is positioned above the printed name and title.

Theresa Taylor-Carroll
Assistant Director

TTC/lmb

cc: Members, Assembly Judiciary Committee
Leora Gershenzon, Counsel, Assembly Judiciary Committee
June Clark, Deputy Legislative Secretary, Office of the Governor
Paul Dress, Consultant, Assembly Republican Office of Policy



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June 18, 2013

Hon. Noreen Evans, Chair
Senate Judiciary Committee
State Capitol, Room 4085
Sacramento, CA 95814

Subject: AB 1403 (Committee on Judiciary), as amended June 13, 2013 – Support
Hearing: Senate Judiciary Committee – June 25, 2013

Dear Senator Evans:

The Judicial Council is pleased to support AB 1403, which would (1) ratify the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2013–2014, where the conversion results in a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers, and (2) clarifies the language of the Uniform Parentage Act (UPA), making terms gender-neutral so that it conforms with state law.

Over the past few years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of the courts' workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they have been assigned as temporary judges, exercising the full power of judges, including in family law and juvenile law proceedings. The Judicial Council believes that family law and juvenile law proceedings, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. The conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges. It has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the

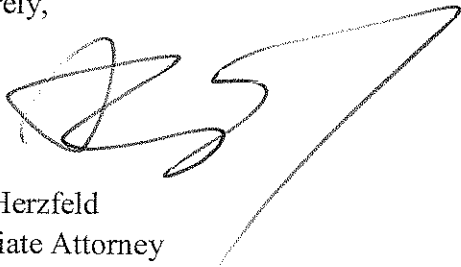
number is more like 75–80 percent. In practice, many SJOs are de-facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

Legislation enacted in 2006, authorized the Judicial Council to convert 162 SJO positions in eligible courts to judgeships, upon SJO positions becoming vacant. That legislation also capped at 16 the number of positions that could be converted in a single fiscal year. The council has, pursuant to legislation, converted the maximum number of positions for each of the last four years. AB 1403 does not increase the 162 total conversions authorized by statute; the conversion of SJO positions to judgeships, upon vacancy, that this bill authorizes will allow more family and juvenile law cases to be heard by judges.

The California Supreme Court has recognized that the laws governing parentage can be interpreted to recognize same-gender parents. This bill will bring the UPA, found in Family Code section 7600 and following, into line with this recognition, by amending gender-specific terms in the statute so that they are gender-neutral. This will make it clear to anyone reading the statute that California recognizes families with same-gender parents, even without reading relevant case law on the subject. This will especially help self-represented litigants in family law proceedings in understanding the law, which this bill will make consistent in both statute and practice.

For these reasons, the Judicial Council is pleased to support AB 1403.

Sincerely,

A handwritten signature in black ink, appearing to be 'AH', with a long, sweeping horizontal line extending to the right.

Alan Herzfeld
Associate Attorney

AH/yc-s

cc: Members, Senate Judiciary Committee
Hon. Bob Wieckowski, Member of the Assembly
Ms. Nichole Rapier, Counsel, Senate Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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September 11, 2013

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 1403 (Committee on Judiciary) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support AB 1403, which (1) clarifies the language of the Uniform Parentage Act (UPA), making terms gender-neutral so that it conforms with state law, and (2) ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2013–2014, where the conversion results in a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.

The California Supreme Court has recognized that the laws governing parentage can be interpreted to recognize same-gender parents. This bill will bring the UPA, found in Family Code section 7600 and following, into line with this recognition, by amending gender-specific terms in the statute so that they are gender-neutral. This will make it clear to anyone reading the statute that California recognizes families with same-gender parents, even without reading relevant case law on the subject. This will especially help self-represented litigants in family law proceedings in understanding the law, which this bill will make consistent in both statute and practice.

Over the past few years, in the face of few or no new judgeships being created, courts have had to hire SJOs simply to meet the demands of the courts' workload. As a result, these SJOs have not simply been assigned to perform subordinate judicial duties, but in many cases they have been assigned as temporary judges, exercising the full power of judges, including in family law and

Hon. Edmund G. Brown, Jr.

September 11, 2013

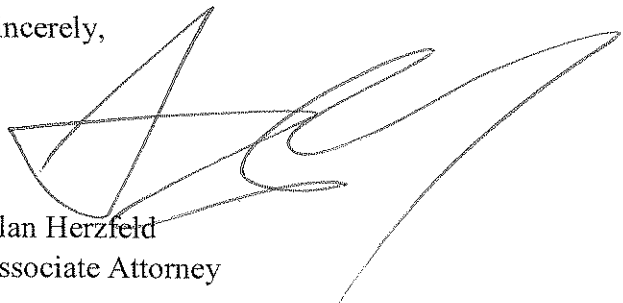
Page 2

juvenile law proceedings. The Judicial Council believes that family law and juvenile law proceedings, among the courts' most sensitive and often most complex, should be assigned to judges whenever possible. The conversion of SJO positions to judgeships, upon vacancy, will allow more of these crucial family and juvenile law cases to be heard by judges. It has been estimated that SJOs spend an average of 55 percent of their time working as temporary judges, and in large courts, the number is more like 75–80 percent. In practice, many SJOs are de-facto judges, but without the accountability to the public or the authority and independence the Constitution provides.

Legislation enacted in 2006, authorized the Judicial Council to convert 162 SJO positions in eligible courts to judgeships, upon SJO positions becoming vacant. That legislation also capped at 16 the number of positions that could be converted in a single fiscal year. The council has, pursuant to legislation, converted the maximum number of positions for each of the last four years. AB 1403 does not increase the 162 total conversions authorized by statute, but merely accelerates the rate at which they may be converted to judgeships. The conversion of SJO positions to judgeships, upon vacancy, that this bill authorizes will allow more family and juvenile law cases to be heard by judges.

For these reasons, the Judicial Council requests your signature.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alan Herzfeld', is written over a horizontal line. The signature is stylized with a large, sweeping 'A' and a long, horizontal stroke extending to the right.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Hon. Bob Wieckowski, Chair, Assembly Judiciary Committee

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor